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EASTERN DISTRICT OF TEXAS

KELVIN ANDRE SPOTTS,	§
Plaintiff,	8 § 8
versus	§ CIVIL ACTION NO. 1:18-CV-216
UNITED STATES OF AMERICA,	8 § 8
Defendant.	§ §

MEMORANDUM ORDER OVERRULING OBJECTIONS AND ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Kelvin Andre Spotts, an inmate confined within the Bureau of Prisons, proceeding *pro se*, filed the above-styled lawsuit. The court previously referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to 28 U.S.C. § 636 and orders of this court.

Plaintiff has filed a motion seeking a preliminary injunction. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending the motion be denied as moot.

The court has received the Report and Recommendation, along with the record, pleadings, and all available evidence. Plaintiff filed objections to the magistrate judge's Report and Recommendation.

The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. After careful consideration, the court is of the opinion the objections are without merit. As plaintiff was transferred to another prison unit after he filed his motion, his request for injunctive relief based on conditions at his former unit is moot.

ORDER

Accordingly, the objections filed by plaintiff are **OVERRULED**. The findings of fact and conclusions of law set forth in the report of the magistrate judge are correct, and the report of the

magistrate judge is **ADOPTED**. Plaintiff's motion for preliminary injunction (# 3) is **DENIED** as moot.

Signed this date

Mar 12, 2019

Marcia A. Crone.

MARCIA A. CRONE

UNITED STATES DISTRICT JUDGE